

JUL 02 2010

JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT

No. 09-90251

ORDER

**KOZINSKI**, Chief Judge:

Complainant previously filed a misconduct complaint alleging that a magistrate judge should have entered a default judgment against the defendants in his civil case. I dismissed the complaint and the Judicial Council affirmed. See In re Complaint of Judicial Misconduct, No. 07-89136 (9th Cir. Jud. Council 2008). The current complaint repeats the same allegation against the same judge, and my prior order makes further action on this charge unnecessary. See 28 U.S.C. § 352(b)(2); In re Complaint of Judicial Misconduct, 563 F.3d 853, 854 (9th Cir. Jud. Council 2009).

A “complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted from filing further complaints.” Judicial-Conduct Rule 10(a); see In re Complaint of Judicial Misconduct, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009). Complainant is advised that any further misconduct complaints he files that present essentially the

same allegations will be summarily dismissed as frivolous.

**DISMISSED.**